

contractors for the manufacture of shells and other munitions during the World War is hereby ratified and validated, and that the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of the following officers in the amounts stated which now stand as disallowances on the books of the General Accounting office: Captain J. Q. A. Brett, United States Army (now deceased), \$207,223.66; Donald Findley, formerly captain, Ordnance Department, \$14,510.39; Captain Carl Halla, Finance Department (now major), \$65,068.12; Major E. O. Hopkins, Quartermaster Corps (now major, Finance Department), \$14,728.05; Weston Patterson, formerly first lieutenant, Finance Department, \$13,960.16; in all, \$315,490.38.

Approved, April 26, 1928.

Credit allowed designated officers for payments made therefor.

CHAP. 438.—An Act To accept the cession by the State of California of exclusive jurisdiction over the lands embraced within the Lassen Volcanic National Park, and for other purposes.

April 26, 1928.

[H. R. 11685.]

[Public, No. 320.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of the legislature of the State of California (approved April 20, 1927) ceding to the United States exclusive jurisdiction over and within the territory which is now or may hereafter be included within the Lassen Volcanic National Park are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such territory, saving, however, to the State of California the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park, and the right to fix and collect license fees for fishing in said park; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county or counties in which said park is situated. All the laws applicable to places under sole and exclusive jurisdiction of the United States shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of California.

Lassen Volcanic National Park.

Acceptance of jurisdiction of California over territory included in.

Rights reserved to the State.

Application of United States laws.

Extradition of criminals.

Assigned to California northern judicial district.

SEC. 2. That said park shall constitute a part of the United States judicial district for the northern district of California, and the district court of the United States in and for said northern district shall have jurisdiction of all offenses committed within the boundaries of the said park.

Punishment for offenses against State laws.

SEC. 3. That if any offense shall be committed in the said park, which offense is not prohibited or the punishment is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the State of California in force at the time of the commission of the offense may provide for a like offense in said State; and no subsequent repeal of any such law of the State of California shall affect any prosecution for said offense committed within said park.

Hunting, fishing, etc., prohibitions.

SEC. 4. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals, when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park; nor shall any fish be taken out of any of the waters of the

Regulations, etc., to
be prescribed.

Evidence of viola-
tions.

Punishment for vio-
lating provisions here-
of, etc.

Forfeiture of guns,
traps, etc., illegally
used.

Commissioner for.
Appointment, au-
thority, etc.

Judicial powers in
violations of rules, etc.

said park, in any other way than by hook and line, and then only at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits other than those legally located prior to the passage of the Act creating and establishing said park, natural curiosities or wonderful objects within said park, and for the protection of the animals in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having same are guilty of violating this Act. Any person or persons, or stage or express company, or railway company, who knows or has reason to believe that they were taken or killed contrary to the provisions of this Act, and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate any of the other provisions of this Act, or any rule or regulation that may be promulgated by the Secretary of the Interior, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits other than those legally located prior to the passage of the Act creating and establishing said park, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the said park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guide post, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits other than those legally located prior to the passage of the Act creating and establishing said park, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings.

SEC. 5. That all guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals, shall be forfeited to the United States and may be seized by the officers in said park, and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior.

SEC. 6. That the United States district court for the northern district of California shall appoint a commissioner who shall reside in the park and who shall have jurisdiction to hear and act upon all complaints made of any violations of law, or of the rules and regulations made by the Secretary of the Interior for the government of said park and for the protection of the animals, birds, and fish and objects of interest therein, and for other purposes authorized by this Act. Such commissioner shall have power, upon sworn

information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of said park, and for the protection of the animals, birds, and fish in said park, and to try persons so charged, and if found guilty to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States district court for the northern district of California and the United States district court in said district shall prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeals to said United States district court.

Appeals to district court.

SEC. 7. That such commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 4 of this Act, to hear the evidence introduced, and if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District Court for the Northern District of California and certify a transcript of the record of his proceedings and the testimony in such case to said court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner shall grant bail in all cases bailable under the laws of the United States or of said State.

Procedure in criminal cases.

Provido,
Bail.

SEC. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for the northern district of California but nothing herein contained shall be so construed as to prevent the arrest by any officer or employee of the Government or any person employed by the United States in the policing of said reservation within said park without process of any person taken in the act of violating the law or this Act or the regulations prescribed by the said Secretary as aforesaid.

Service of process.

Summary arrests.

SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary as appropriated for by Congress, payable quarterly: *Provided*, That the said commissioner shall reside within the exterior boundaries of said Lassen Volcanic National Park at a place to be designated by the court making such appointment: *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section 11 of this Act.

Pay of commissioner.

Providos,
Residence required.

Disposal of fees, etc.

SEC. 10. That all fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

United States fees.

SEC. 11. That all fines and costs imposed and collected shall be deposited by said commissioner of the United States, or the marshal of the United States collecting the same with the clerk of the United States district court for the northern district of California.

Deposit of fines and costs.

SEC. 12. That the Secretary of the Interior shall notify in writing the Governor of the State of California of the passage and approval of this Act, and of the fact that the United States assumes police jurisdiction over said park as specified in said Act of the State of California.

Acceptance of cession.

Approved, April 26, 1928.